

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

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Shane Bruce)
v.)
Great Britain)
BP plc [British Petroleum] & subsidiaries)
Sir John Sawers)
America Medical Association)
American Association of Poison Control Center)
Center of Disease Control,)
National Institute of Health)
Office of Secretary of Defense, James Mattis)
The University of Tennessee Medical Center)
Gregory A. Finch P.A.)
University Infectious Disease)
Stephen Teague M.D.)
UT Family Physicians LaFollette)
Lori P. Staudenmaier M.D.)
Christian Terzian, M.D.)
Tennova LaFollette Medical Center Clinic)
Jeffrey Nitz,)
LaFollette Medical Center Tennova Healthcare)
Tennova Cardiology, et al)

Civil Action #: 3:17-CV-285

Mattice/Shirley

U.S. DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

**Plaintiffs' Memorandum of Law in Opposition of the Defendants Motions and
Supporting the Plaintiffs' Complaint**

U.S. Constitutional and Civil Law Supremacy

By U.S. Constitutional Law and Civil Law, Statutory Law holds dominance over Common or Precedential or even Procedural Law even to overcome past or largely acclaimed practices of the masses, nations or adversarial intrigues as in the Civil Rights Act of 1871, a piece of Reconstruction legislation that also included 42 U.S.C. § 1985; in its most pertinent provision, part (3), section 1985 provides that:

If two or more persons... conspire ... for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws... ; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the part so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators.

Furthermore 42 U.S.C. § 1985(3) (1988), a companion statute to §1985 is § 1986, which provides as follows:

Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in the section 1985 of this title, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured. . . for all his damages caused by such wrongful act, which such person by his [or her] reasonable diligence could have prevented.

Such Supreme Court rulings such as Griffin v. Breckenridge announce that 42 U.S.C. § 1985(3) might be applied to regulate private conspiracies to violate civil rights.

While pure conspiracy laws might allow for intervention by government agencies to preempt or form injunctions against unlawful or criminal conspiracies in the form of schemes. Liability of conspiracy, however, claims right where at least one conspirator has committed or neglected an act, a form of liability typical of European penal laws, which generally consider the existence of a conspiracy as the basis for increasing the punishment of completed criminal acts, which has assumed a role in the civil-law liability in U.S. Courts in the area of torts, where 'conspiracy' may be described as "concerted action".

Such vicarious action, attempts at power over another, attempts to violate rights, coerce, deny services and otherwise commit wrongful acts in conspiracy or concerted action then is met by civil law which imposes a form of "vicarious liability" whereby all persons who actively participate in a wrongful act, by cooperation or request or who lend aid, encouragement or countenance to the wrongdoer, or approval to the wrongdoers' acts done for their benefit, are equally liable.

Such laws include those tortious conspirators who appoints his or her co-conspirator agent for any purposes of all unlawful conduct carried out pursuant to the conspiracy. So, if one party causes an intentional tort and are connected to a second party which by neglect causes harm from the intentional tort then such are 'Contributing Tortfeasors' where by RST§875 where "Each of two or more persons whose tortious conduct is a legal cause of a single and indivisible harm to the injured party is subject to liability to the injured party for the entire harm."

Legally such an idea as contracted health care say refusing care to forestall or negate damage by an intentional Tortfeasor linked by conspiracy wouldn't from the perspective of legal liability it wouldn't be considered different than say a person being held by such contracted people while the party causing intentional harm did damage, such is the heinous culpability of a conspiracy or as state by Restatement of Torts 876 (RST§876):

For harm resulting to a third person from the tortious conduct of another, one is subject to liability if he

- (a) does a tortious act in concert with the other or pursuant to a common design with him, or
- (b) knows that the other's conduct constitutes a breach of duty and gives substantial assistance or encouragement to the other so to conduct himself, or
- (c) gives substantial assistance to the other in accomplishing a tortious result and his own conduct, separately considered, constitutes a breach of duty to the third person.

This and the many references to Restatement of Tort Law in my complaint, the least of which is implied and implicit contractual obligations and several neglects even that, or especially that by health care. Tort Law basically is a series of laws that says what one should expect is and others failure to act once a reason has been established means that the failing party is libelous. Libelous means has to make monetary restitutions. That good faith money payments by patients and/or medical companies means this patient has a right to such services and failure to provide the services in the form of health care including diagnoses and treatment, even if this patient was aware of the condition. Ignoring known conditions or substituting inappropriate treatments is akin to medical fraud as much as it medical malpractice. Tort law is substantial and is to include RST§875, RTT:GP§12, RST§18, RST§323, RST§284, RST§479, RST§878, RST§46, RST§4, RST§286, and each and every Tort law for this Pro Per plaintiff which might be applicable.

In that that conspiracy or similar and concerted action by the defendants apparently in fear of some law suit, which demonstrates a like fear with the intentional tortfeasor of BP plc in protesting that the infected oil and Corexit weren't health issues, all co-conspirator defendants are now subject to punitive damages, something that wouldn't be applicable to neglect alone, though are again subject to by breaches of contract and failure to duty of 'good faith'. Somehow, apparently by effort, the defendants have stacked several torts simultaneously against themselves, this plaintiff guesses some unbalanced of mind in the co-conspirators attempting to evade some past lawsuits of co-conspirator association before even meeting this plaintiff of tortfeasors somehow slow to be brought into check even though subject to several lawsuits and court decisions before now.

Such tortious conspirators' benefits might include those other than physical or fiscal gain, perhaps even imaginary or demented gains in their own mind such a revenge. This plaintiff who also has a long, illustrious and famous pedigrees know that European, specifically British nations look at history differently than do most Americans where by dozens of generations of hundreds or even a thousand years are considered intimate and often associated with family. A war between families over generations could be likened to a feud of some near relatives against some other family. It's entirely possible that the British attack through the organ of that state BP plc was formatted not for financial gain but some intangible such as mental superiority, to terrorize those peoples who 200 years before in the War of 1812 the last of the British official military was driven from the shores and seas of the United States.

Whereas most citizens of a democracy might forget their ancestors' roles in such war as the War of Independence of the United States even celebrated annually might be forgotten in random celebration. In European countries specifically remember such roles, likely any noble could tell you world history from the perspective of genealogical participation, embodiments of history brought to the present. Sometimes there might be one who acts on such pressures, imagined slights. These literal wars last hundreds of years and are never forgotten as long as such lines live and nations exist.

By the same coin there are these lines that are ever watchful and guarded against such lines, such as the founding fathers of the United States instructed. On social media, one might be surprised how quickly individuals' ideas and loyalties change with a simple racial DNA test. Compared to the rather uneducated DNA the pressures of those genealogical historians of family history have something vastly superior in their keeping history in context in understanding the daily inferred influences and personal addressment, either pro or con to those of wrongful conspiracy or those of us known historically as ethical keepers of the law.

With study of one lines a veritable guide in the confusion of cultural references and historical momentous occasions are personally prominent and a foray into history and understanding as ones family story can be an anchor in multitudes of facts that would otherwise be disjointed, it doesn't come with simply the birth into ancestry, but delving into the these historical accounts and the events of a personal level that coincided with political, national and world events, a perspective however that can be expounded into understanding. We know much of other people's cultures, numerous people could recite lines of generations of ancient Hebrew origin by impression of popular culture, but might have neglected their own. These of more recent British or American history should be that much more consciously aware in peoples' minds, though I think more S.T.E.M. education and U.S. American history should be available in the magazine racks of the grocery isle as items of daily interest, it's what's required to have a real national identity, even in a democracy, especially in a democracy.

But these days seems most would have to make an individual effort to recall such events as should be expected common knowledge, and I would probably be remiss if I didn't expound on such, even in a Memorandum of Law in a United States Court Case involving U.S. Constitutional Law.

Indeed, the actual formation of the United States is formed on such a 'feud', where members of the same family/people split along the lines of religious freedom. Whereas the British government formed a xenophobic society whereby Parliament was banned to Catholics and later acts such as the "Proclamation of Alienation" made attempts to deny citizenship much less ruling class membership to anyone else.

That was followed by “Acts of Security” by the largely Catholic Scottish Parliament in which individuals were given rights to property and inheritance which was then warred upon by the British.

Subsequently those that left the United Kingdoms formed a War of Independence in the Americas to take from those considered unbalanced malefactors who wished to deny basic civil rights and consistently act by their formation and infrastructure as inhuman offenders. Then they were met with the Constitution of the United States which is referred to in this liability case. This is a very real and ongoing war as to which as citizens of the United States are dutifully called by its formation to guard against such unstable oligarchs, yet oligarchs with long memories which they might well dwell upon, though there are many in the United States with long memories as well.

Laws both preventing and recovery from injury by liability laws of deprivation of rights conferred upon citizens of the United States therefore is therefore a continuation of said war, continuing hostilities however subdued in opposition of the two countries being temporarily labeled ‘Allies’ during WWII, which was by all other historical contexts in measured aid or support a mislabeling.

Such feints or offenses are simply acts of the war or their wrongful doings extended as a sinister sense of place, never the less yet a war. According to the traditions which British understand, one might surmise in their minds they are projecting their perceived problems of over-population as an enemy on the people of their choosing, in their reactive minds they would be expecting some ‘like’ response on their civilian population which we would think untenable, they’ve not expanded into more modern times, anachronistic past life memories and traditions interfering with modern affairs, though yes a despicable war crime of poisons instead of strength of arm and there must be penalties, though solving the tiny islands population problems with a population four times the size that it could sustain will probably suggest to them continued atrocities before any innovation, even if at the poison people level, at least constrain them to their own nation. Being of sinister nature, as they actively block ethics and morals common to the people of the Earth, their average falls towards the evil.

Unfortunately, the British are not innovators except in the areas of sciences that reasonable people make forbidden. If they had made it natural sustainable farming for instance instead of genetic manipulation and large scale chemical weapons. Getting my family to farm is harder than pulling teeth or war, and in the law of attraction they only attract more trouble than sincere ethical enterprise. Britain has no Space Program of note, nor any other enterprises that the world at large would call beneficial, usually being a notorious parasite without synergy is their international reputations. International opinion of the British is on the same par as the accounts leading up to the Boston Massacre, dine, dash and then either attack or cringe, that and attempts to control propaganda or press. Instead of developing agricultural possibilities, the whole of Britain look around as if someone else is supposed to while they pursue nefarious and sinister habits. Indeed, there are whole groups of islands North of Scotland that the British condemned as abandoned several decades due to British testing varieties of Anthrax, the technologies that are forbidden by what simple commonsense is something they wallow in enthralled by their own sinister minds, made sinister by poor governmental, parliament and crown decisions deficient to the point what can only be denounced as tyranny and terrorism, which has no excuse regardless.

The suit is brought by the “dual coin” or “both sides of the coin” of suing for causes of injury as well as neglect of injury by several conspiracy liability laws as by 10 year of extended liability law as brought by the Statutory and U.S. Constitutional Law that of the “Justice Against Sponsors of Terrorist Acts” (JASTA) which was voted into law on the 28th of September, of the year 2016 which states:

(a) Findings.—The 114th Congress finds the following:

- (1) International terrorism is a serious and deadly problem that threatens the vital interests of the United States.
- (2) International terrorism affects the interstate and foreign commerce of the United States by harming international trade and market stability, and limiting international travel by United States citizens as well as foreign visitors to the United States.

(3) Some foreign terrorist organizations, acting through affiliated groups or individuals, raise significant funds outside of the United States for conduct directed and targeted at the United States.

(4) It is necessary to recognize the substantive causes of action for aiding and abetting and conspiracy liability under chapter 113B of title 18, United States Code.

(5) The decision of the United States Court of Appeals for the District of Columbia in *Halberstam v. Welch*, 705 F.2d 472 (D.C. Cir. 1983), which has been widely recognized as the leading case regarding Federal civil aiding and abetting and conspiracy liability, including by the Supreme Court of the United States, provides the proper legal framework for how such liability should function in the context of chapter 113B of title 18, United States Code.

(6) Persons, entities, or countries that knowingly or recklessly contribute material support or resources, directly or indirectly, to persons or organizations that pose a significant risk of committing acts of terrorism that threaten the security of nationals of the United States or the national security, foreign policy, or economy of the United States, necessarily direct their conduct at the United States, and should reasonably anticipate being brought to court in the United States to answer for such activities.

(7) The United States has a vital interest in providing persons and entities injured as a result of terrorist attacks committed within the United States with full access to the court system in order to pursue civil claims against persons, entities, or countries that have knowingly or recklessly provided material support or resources, directly or indirectly, to the persons or organizations responsible for their injuries.

(b) Purpose.--The purpose of this Act is to provide civil litigants with the broadest possible basis, consistent with the Constitution of the United States, to seek relief against persons, entities, and foreign countries, wherever acting and wherever they may be found, that have provided material support, directly or indirectly, to foreign organizations or persons that engage in terrorist activities against the United States.

Further by the JASTA:

(b) Responsibility of Foreign States. -- A foreign state shall not be immune from the jurisdiction of the courts of the United States in any case in which money damages are sought against a foreign state for physical injury to person or property or death occurring in the United States and caused by--

(1) an act of international terrorism in the United States; and

(2) a tortious act or acts of the foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, regardless where the tortious act or acts of the foreign state occurred.

(c) Claims by Nationals of the United States. -- Notwithstanding

section 2337(2) of title 18, a national of the United States may bring a claim against a foreign state in accordance with section 2333 of that title if the foreign state would not be immune under subsection

Which is a wonderful move against high-level conspiracies which now the U.S. Courts have been given Personal Jurisdiction over, and is noted and followed by 18 U.S. Code § 2333(a) the notably limits the Sovereignty of terrorist nations and even to the Crown of England as such actions bring into impeachment any nation that State Sponsors Terrorism. In sub-section (a):

(a)Action and Jurisdiction.—

Any national of the United States injured in his or her person, property, or business by reason of an act of international terrorism, or his or her estate, survivors, or heirs, may sue therefor in any appropriate district court of the United States and shall recover threefold the damages he or she sustains and the cost of the suit, including attorney's fees.

BP plc was found on several criminal charges during the explosion of the Deepwater Horizon well, that I might point out that there was a microbial fuse in that well which bespeaks of premeditated and intentional explosion as well as several safeguards usual to such an oil-rig being dismantled before the explosion. That microbial microbe in such an oil well is expected to build up pressures near 30 MPa (Thirty Megapascals) or 30,000,000 N/m (Thirty Million Newtons per square meter) which means tons per square meter with the same effect as a rocket plumb, that microbial fuse was fully cultured when the oil rig exploded. BP has often admitted criminal acts the many disasters. Further that 18 U.S. Code § 2333:

(b)Estoppel Under United States Law.—

A final judgment or decree rendered in favor of the United States in any criminal proceeding under section 1116, 1201, 1203, or 2332 of this title or section 46314, 46502, 46505, or 46506 of title 49 shall estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding under this section.

(c)Estoppel Under Foreign Law.—

A final judgment or decree rendered in favor of any foreign state in any criminal proceeding shall, to the extent that such judgment or decree may be accorded full faith and credit under the law of the United States, estop the defendant from denying the essential allegations of the criminal offense in any subsequent civil proceeding under this section.

(d)Liability.—

(1)Definition.—

In this subsection, the term “person” has the meaning given the term in section 1 of title 1.

(2)Liability.—

In an action under subsection (a) for an injury arising from an act of international terrorism committed, planned, or authorized by an organization that had been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), as of the date on which such act of international terrorism was committed, planned, or authorized, liability may be asserted as to any person who aids and abets, by knowingly providing substantial assistance, or who conspires with the person who committed such an act of international terrorism.

Co-conspirators of Britain and/or any terrorist organ which harm or cause subsequent harm by neglect (here the context is actually a chemical weapon and keeping the other side of the coin, the treatment with antidote away is the same war crime action) are liable even if they simply do not comprehend in their social programming that such acts are even wrong, ideas of staying ‘fit’ by constant attacks though seen as a racially unbalanced mind might be the mind of a nationality or group.

In that such an organ as BP plc is defined as Britain itself in that U.S. Code 1603:

- (a) A “foreign state”, except as used in section 1608 of this title, includes a political subdivision of a foreign state or an agency or instrumentality of a foreign state as defined in subsection (b).
- (b) An “agency or instrumentality of a foreign state” means any entity—
- (1) which is a separate legal person, corporate or otherwise, and
 - (2) which is an organ of a foreign state or political subdivision thereof, or a majority of whose shares or other ownership interest is owned by a foreign state or political subdivision thereof, and
 - (3) which is neither a citizen of a State of the United States as defined in section 1332 (c) and (e) of this title, nor created under the laws of any third country.
- (c) The “United States” includes all territory and waters, continental or insular, subject to the jurisdiction of the United States.
- (d) A “commercial activity” means either a regular course of commercial conduct or a particular commercial transaction or act. The commercial character of an activity shall be determined by reference to the nature of the course of conduct or particular transaction or act, rather than by reference to its purpose.
- (e) A “commercial activity carried on in the United States by a foreign state” means commercial activity carried on by such state and having substantial contact with the United States.

28 U.S. Code 1605 where a (2) foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case in which the action is based upon a commercial activity carried on in the United States by the foreign state; or upon an act performed in the United States in connection with a commercial activity of the foreign state elsewhere; or upon an act outside the territory of the United States in connection with a commercial activity of the foreign state elsewhere and that act causes a direct effect in the United States; (5) not otherwise encompassed in paragraph (2) above, in which money damages are sought against a foreign state for personal injury or death, or damage to or loss of property, occurring in the United States and caused by the tortious act or omission of that foreign state or of any official or employee of that foreign state while acting within the scope of his office or employment.

It is their mentality that they wrongful state parliamentary decisions is that their self-serving by being a detriment to others as some belief, defying even the ‘Golden Rule’ of ethics unless it can be attributed to themselves, much less utilitarian or humanitarian ethics. The Proclamation of Alienation is still reviled and condemned called a violation of Hauge Convention Human Rights from Scotland as far as Australia, and of course in U.S. Doctrine, Declaration of Independence from Britain and the U.S. Constitution and most of the Earth’s laws.

So that the conspirators might not see benefit is not necessary a needed requirement of liability, simply that notably one or more of the co-conspirators did conspire to violate said civil liberties and Constitutional rights, the example being brought the very same within this case/complaint. The intangibles might be placating their ancestors or the vile heinous acts of poisoning which is heralded in British culture, they’ve not what is often called an honorable mind, but that of xenophobic while these opposite of the same people went forward to embrace the peoples of the world, the religious and make an effort to “keep their ways” as in the way of others and seek understanding both ethical and scientific, being ‘family’ it might be more bitter than it would be otherwise as is often the case.

It is estimated that all the combined knowledge of the Western World, including all the sciences and matters of craft, the philosophy of law and ethics, more than 90% of all the referenced writings are that of a religious and even Holy Roman Catholic Church in nature, having been keepers and preservers of knowledge some thousands of years, even the what I think satirical St. Thomas Aquinas references Euclid even if in jest.

Every scientist of any note has also been a theologian, that some complete understanding of priori of conditions cannot be met if one excludes knowledge of certain spectrums, indeed delving the untenable is necessary to understand phenomena as a whole, be especially it science, sociology or law. Anyone that says science and religion are separate, simply don’t know either. Such people will never be able to consider and operate on greater principles, merely always suppressed into acting on mimicking behavior

without any discernable forethought or acting out confusion in retold stories, more likely to lash out randomly than ever become accomplished.

Being increasingly xenophobic of nature and its legal persona, Britain leaves the foundations that we think normal and satisfactory, there was a time when such was kept in balance. It was found that Sir Isaac Newton, noted English scientist, monikered Father of Physics, but also formative in mathematics, chemistry, optics, military ballistic tables, head of the Royal mint and an incredible prodigious writer of intricate scientific books which form the first two or three years of any Physics degree had written an even greater volume of Theosophical Treatise. A full 900 times more written about religion. A scientist cannot truly even understand science without delving into the complete works of the Western World including philosophy, how much more would the political scientists of Britain be hampered by occluding 90% of the worlds knowledge from themselves, such people would be incredibly dangerous in their ignorance and positions of power, which is what we talk about these some centuries.

The British are a culture that now attempts to validate the 'anti-good' it's based its infrastructure on. That their identity is basically not-being some ethical conscientious world-wide affiliation of religion which most of Western Philosophy and Ethics is based on their ethical development is severely stunted or inhibited as a matter of national identity, knowing right from wrong as a nation is a difficulty, historically, presently. That they are formative in each generation means that there is always the peril of some less-than-ethical affiliation in that they believe themselves right in doing and believing great wrong. To reiterate what should be well-known writings, we have to guard against them and oppose them as a matter of daily duty, whereas the United States is known for its staunch advocacy of civil rights no matter whom, Britain is an enemy of this foundational stance of the U.S.

It is the chaos inflicted on those without context which seems to be so confusing, a million-people induced into "Manganese Madness" angered and confused trying to understand what's happening to them and why they are so angered, easily confused into increasingly violent protests even a elections or normal events afflicted by the affected mind and mentality such as I describe of the British in this document. The founding fathers again and again instilled into the formation of the country and mandatory educations that the British must be guarded against, such acts might be play or what are considered war crimes, it's not something that's going to be forgotten as long as both countries exist, no matter what behavior conditioning is imposed on the masses, in fact the British are most notorious of wrongful acts at those they've enlisted, occupied or who've been allied with. So, whether considered demented or not it's their national identity, consistently, like an countries whose greatest effort is to be unethical and uneven in both occupation and abuse, usually by trick and craft. I know, it's very annoying.

Those being of any 'One who by extreme or outrageous conduct intentionally or recklessly causes severe emotional distress to another is subject to liability for such emotional distress, and if bodily harm to the other results from it, for such bodily harm.', is actually the 46th Restatement of Torts. Such a tort exactly describes Manganese Poisoning which causes such extreme hypertension as to be noted as irrational rages and such EXTREME emotional distress as to be debilitating, even fatal. The same chronic hypertension that according to the ER that the health care defendants poorly managed such. The reason of course that they've poor management is that the occluded their sight and understanding to anything that BP and the British were involved by, affected by the high-level conspiracies which block any such address by the health care professionals at and administrative/educational level, none-the-less no less liable as any individual enterprise by any of the defendants could have excluded them from such malpractice and even conspiracies.

Against and by so many people it is a discriminatory animus where Britain wrongfully and consistently wrongful seeks to abuse others who are 'simply not British' enlisting agents as co-conspirators for such an unprofitable task, simply to say they can, acting in envy at such institutions such as the aerospace corridor or simply maddened by the United States annual celebration of the formation of the nation on July the 4th. It's probably improbable that most Americans could state the events of the War of 1812, some already forgot the oil rig explosion and cleanup 200 years after that. Easily believable it could be one or two individuals till one considered the million gallons of chemical weapons following requests/demands for BP operated cleanup.

If the status of 'guard against' in such documents as the Declaration of Independence was heeded seriously as more than half remembered grade school classes the slow-motion devastation of people, U.S. citizens, falling years after exposure could have been avoided if we really maintain a staunch guard as a nation instead of falling prey to distractions, after the fact the United States must rally to this cause. Conspiracy to Violate Civil and Constitutional Rights is expected of the British and whatever co-conspirators they might have, every bit of the formation of our Constitution and even basic education is based on this, let it be expected as common knowledge any one opposing is by the same knowledge to be considered an Enemy of the United States and the greater world, knowledge as fundamental fact as it is known that Arsenic is poison, known to be a poison since discovered by Albert Magnus and the most legendary known as the King of Poisons, or the Poisons of Kings and even that moniker in Britain's mindless rally about only a Crown is an indicator to any child of public education much less an adult of citizen standing.

It might as well be known as the British Poison, as the British have been obsessed with Arsenic for centuries, even the first to develop an antidote known as the British Anti-Lewis. Developing the antidote is the other half of the coin of using the British Poison as a chemical weapon in wide-spread ware fare, this we hold as evident of Intent by Restatement of Torts (RTT§1) that harm brought around purposefully or knowingly is 'intentional harm', in fact such harm as 1,000,000 lbs. of Arsenic in the 1,000,000 gallons of Corexit that BP plc manufactured in the years ahead of time means such actions are 'premeditated' and especially heinous. Which means by Restatement (Second) of Torts 90 (RST§90) "An intentional tort victim may recover punitive damages, if defendants conduct was outrageous or malicious."

The U.S., however, having a deeper and all-encompassing formation of ethical standards, morality and humanity perseveres to the world as an avatar of such rights, or has until recently, allowing an attack of the immoral to enervate its peoples, ethics, formation, constitution and reputation, as always it is an enterprise to maintain a high ethical value, even categorized along simpler thoughts as "golden rule, "utilitarian ethics", or "humanitarian ethics". We've instilled basic and remedial safeguards and reminders of how to be ethical in case such a thing is forgotten in duress or as a sign of enemy presence. Such is the Emergency Medical Treatment and Active Labor Act (EMTALA) (42 U.S.C. § 1395dd(a)) is an act of the United States Congress, passed in 1986 as part of the Consolidated Omnibus Budget Reconciliation Act (COBRA). It requires hospital Emergency Departments that accept payments from Medicare to provide an appropriate medical screening examination (MSE) and treatment to those seeking. It even bars refusing, transferring or discharging emergency patients and requires treatments for Emergency Medical Conditions.

An emergency medical condition (EMC) is defined as "a condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in placing the individual's health [or the health of an unborn child] in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of bodily organs."

The very definition of an EMC is exactly the description of Arsenic Poisoning and the symptoms and damages of Arsenic Poisoning as it also the definition of probably results of any Infection. Patient dumping which is the focus of the EMTALA is a Civil Rights violation. The statute of limitation on the 42 U.S.C. § 1395dd(a) is TWO years, not the one as mentioned in defendants' motions and liability is that of \$25,000 (Twenty-Five Thousand Dollars) to \$50,000 (Fifty Thousand Dollars) to each instance of violation by each person or institution in such violation even before any causes of personal injury to be restituted which this plaintiffs' claims are well within if indeed not too reasonable and expected to be more than doubled in any filings.

That far from required specialized functions or equipment that treatment only requires a intravenous injection which most any clinic or health professional can perform, clinics, doctors and other health care providers are not exempt from providing treatment as demanded by this U.S. Code. This is particularly pertinent in the case of a Conspiracy to Deny Civil Rights such as treatment of such a condition as especially condemning conspiracies. Once admitted such admittance then fully construes a physician-

patient relationship with a duty of care, such a relationship is formed even by mere proximity, Woods v Lowns 1995 or Egedebo v. Windermere District Hospital Association, 1993.

Thus, the civil rights acts, statutes, any and all pertinent laws become immediately in effect and also libelous in the Third Restatement of Torts Chapter 6 § 14 is as follows:

An actor is negligent if, without excuse, the actor violates a statute that is designed to protect against the type of accident the actors' conduct causes, and if the accident victim is within the class of person the statute is designated to protect.

Once the physician-patient relationship exists, the physician can be held liable for an intentional refusal of care or treatment, under the theory of Abandonment. (Abandonment is an intentional act; negligent lack of care or treatment is medical malpractice.) When a treatment relationship exists, the physician must provide all necessary treatment to a patient or ensure that its done so in some timely manner. In fact it is illegal to discharge a patient one accepted into care and the physician (or health care professional that the patients care has been transferred to) until such treatment has occurred.

The BlueCross/BlueShield doctor that was doing data information checks was surely aware of this when she insisted that I go to the emergency room seeing the neglect of my condition that the primary care provider Lori Staudenmaier was a factor, of it was only the promise of my own immediate action and following up with specialists that she allowed me to forestay an emergency room visit of which the BlueCross/BlueShield doctor then followed up with me personally.

After some months or year of many referrals and neglect by the defendants though it was around the time I filed this suit I did go to the local emergency room where the E.R. Doctor of Tennova of LaFollette did not even my blood pressure management was severely neglected, long being given the wrong medicines despite my protests to these several defendants that a mere diuretic wasn't working or having any effect and prescribed the next stage of medicines that if the defendants had been at all mindful of would have done so months before, failing even to follow the simplest of procedures of matching medicine to symptoms to stabilize failing not only me in implied and implicit contract, but that contract to the insurance provider and failing liability acts that the Senate and U.S. Government has enacted as remedial measures to ensure care and civil and constitutional rights.

That the defendants prevented healthcare which would have only required prescription or indeed that prescription was even required means that by RST§327 if reason is known to give aid and necessary aid is prevented whoever prevented such aid is tortuously liable (tort meaning in a position where a person has to pay for damages or other wrongdoing).

That the health-care organizations would discriminate against a group of U.S. Citizens as being victims of some co-conspirator agency acting as agents of same agency which caused harm in some incident by whatever wrongdoing is an antitrust on the level of the Sherman Anti-Trust Act of 1890 except in favor of that of the patients rather than physicians being restrained from practicing trades, whereas the defendants would have to show by whatever administration or protocols that they were restrained from practicing their trade as the defendants have vocally claimed to this plaintiff.

That health-care organizations, administrations, and associations would fall prey to conspiracy of a foreign interests and organs of foreign interests that use chemical and biological weapons against the U.S. to such a sub-remedial level, there has to be further braces to guard against such. Hence my request that the Department of Defense statutes over addressing a chemical/biological attack pre-empt any other statutes related to health-care industries where all health care industries come under DoD management, by both virtue of Civil Liability Laws be accountable and by US 50:32§1522 which states:

the Secretary of Defense shall do the following:

- Assign responsibility for overall coordination and integration of the chemical and biological warfare defense program and the chemical and biological medical defense program to a single office within the Office of the Secretary of Defense.

- Take those actions necessary to ensure close and continuous coordination between (A) the chemical and biological warfare defense program, and (B) the chemical and biological medical defense program.
- Exercise oversight over the chemical and biological defense program through the Defense Acquisition Board process.

Given that such acts against the U.S. have occurred whereby millions of gallons of chemical agents and genetically modified microbes were placed on U.S. Soil and Coasts, the elements of which will last decades if not centuries thereby affecting and afflicting millions of U.S. Citizens on a scale which covers the nation in seasonal tourism, the only viable solution is management of the entirety of the U.S. health-care and U.S. medical organizations, administrations and authorities which even now will be an enterprise in numbers of people involved in ratio to Army personnel in which to administer such and a major defense project in Management review and report of same U.S. Code whereby the Secretary of Defense is further enjoined in:

The Secretary of Defense shall conduct a review of the management structure of the Department of Defense chemical and biological warfare defense program, including--

- research, development, test, and evaluation;
- procurement;
- doctrine development;
- policy;
- training;
- development of requirements;
- readiness; and
- risk assessment.

And further the U.S. Secretary of Defense is enjoined by US 50:32§1522 to report to congress reports that describe the details of measures being taken to improve joint coordination and oversight of the program and ensure a coherent and effective approach to its management, need now more than ever before. In that a review of doctrine, procedure and medical administration is in keeping of this case as to be fully disclosed by the defendants, such is again pertinent by Civil and Liabilities Law.

This and the sundry other laws referenced in the complaint that I hope would become self-evident on study and further synthesis such as USC 50 Chp3§23 the Jurisdiction of the United States Courts and Judges. In that by 50 USC Chapter 32 § 1520 and 1524 that even the Secretary of Defense may not conduct any test or experiment involving the use of any chemical or biological agent on civilian populations he is to be sure not to allow foreign entities such war crimes as under these U.S. Courts no matter the authorities purported.

By U.S. Constitutional Law and Civil Law Judges are not only allowed but admonished to be inquisitorial, to establish the facts of the case and apply the provisions of the applicable codes, not by past cases nor even strictly procedural but by Substantive Law, acting with the understanding the principia of the laws and acting on some complete priori, where these Courts could extend this action into that of a criminal Jurisdiction especially if the defendants are remiss in that:

After any such proclamation has been made, the several courts of the United States, having criminal jurisdiction, and the several justices and judges of the courts of the United States, are authorized and it shall be their duty, upon complaint against any alien enemy resident and at large within such jurisdiction or district, to the danger of the public peace or safety, and contrary to the tenor or intent of such proclamation, or other regulations which the President may have established, to cause such alien to be duly apprehended and conveyed before such court, judge, or justice; and after a full examination and hearing on such complaint, and sufficient cause appearing, to order such alien to be removed out of the territory of the United States, or to give sureties for his good behavior, or to be otherwise restrained, conformably to the proclamation

or regulations established as aforesaid, and to imprison, or otherwise secure such alien, until the order which may be so made shall be performed.
(R.S. § 4069.)

Cost and compensation of additional organization could be reimbursed in the taking of the terroristic organ of the enemy state, namely securing and confiscating British Petroleum holdings worldwide, in language of Liability Law such would be called Punitive Damages, weakening the enemy substantially back into a condition, while whose existence is tolerated but is sanctioned back to the level of a reservation, till we meet their misdeeds again.

Seizing terrorist organs of the state then effectively disarming them of weapons of choice used in war crimes, to me as 'reparations' and would ask for in such punitive damages, but the U.S. might act simply as disarming an enemy combatant and war crime reparations in unilateral accord, dampening the source of the chaos which it becomes obvious with study is a source of a strange attractor [speaking in descriptive terms of physics of a sociological/political chaos where patterns are created and therefore predictable]. Seizing BP plc, global and otherwise assets does accomplish such a task.

The enterprise such that will burden our further meeting the dangers of the most untenable, that any man-made 'mobile genetic element' might become a contagion through various life forms and genetic modification must be proactively prevented by any means necessary, such not having any precedence in either legal or destructive potential beyond any previous manmade means made harder as it is without the ease of tracking the burden of large scale nuclear manufacturing.

The protective nature of our laws the U.S. Laws and proactive protection of Civil Rights, besides the Restatement of Torts § 4069 there is also the Restatement (Second) of Tort§286 even if the 'class of persons' whose interest is that of United States Citizen/Resident or even Visitor which further states:

The court may adopt as the standard of conduct of a reasonable [person] the requirement of a legislative enactment or an administrative regulation whose purpose is found to be exclusively or in part

- a) To protect a class of persons which includes the one whose interest is invaded, and
- b) To protect the particular interest which is invaded, and
- c) To protect the interest against the kind of harm which has resulted, and
- d) To protect that interest against the particular hazard from which the harm results.

We are always building further safeguard to protect Civil Laws and Rights of everyone. Thus, whenever a state law or construct is in direct conflict with federal law, the federal law prevails. A state law can afford more rights to its residents than a federal law, but is not to reduce or restrict the rights of a U.S. Citizen, so only the more beneficial to the individual Citizen is to be taken into account and such rights are not to be afforded to organizations, states, institutions nor corporations even though such groups can be held accountable as an individual under Civil Laws as meant to be supported by the preemption doctrine deriving from the Supremacy Clause of the Constitution which holds the Constitutional Law Supreme as applied to by territories when requesting State standing.

This protection of Civil Rights as defended in either Democracy or any government structure has been rallied as supreme, such constructs as principle of the Supremacy Clause is defended by James Madison in the Federalist Papers whereby the highest must be guided by the highest ethics and not quarry to its subordinate parts. It is every individuals' duty, be he Judge, politician, or individual citizen operating invoking Civil Laws to keep up civil rights and in a knowledgeable and proactive way wherever one may and to invoke remedial actions even to the point of repercussion wherever there are those who failed to keep such. Even congress cannot pass laws that would be contrary to the U.S. Constitution as upheld in Marbury v. Madison in the Supreme Court could not enlarge on its own original jurisdiction.

Though the jurisdiction is substantial such as In Reid v Covert, 354 U.S. 1 1957 decided that the U.S. Constitution even those International Treaties ratified by the U.S. Senate, nor can States interfere nor State Courts issue rulings that contradict Civil Rights as made in decision of Federal Courts such as

Ableman v. Booth 62 U.S 506 (1859) to contradict States that would oppose U.S. Marshals from releasing prisoners being held in violation of the Fugitive Slave Act.

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and Pursuit of Happiness.” Obviously an ethically aware statement, perhaps a bit reactionary to the enemy of the British who were then and apparently now actively attempting to forestall such and had been even before the wrongful anti-civil and those attacking religious orientation and creeds such as the British Act of Settlement of 1701, an anti-U.S. Constitutional sentiment which till this day extends to commonwealth realms, that and other act of alienation against all the nations and peoples of the world of an unthinking reactionary British thus lacking any moral or ethical foundation as recognized on the planet, thus there is ever a conflict between States of Common law and those of the U.S. Constitution, and every case is probably a reminder of the need and desired Supremacy Clause of the Constitution of the United States.

We have a basic belief that people have a right to be Good. To be good in person and maintain proprieties of nature, to perform good acts for the purpose of being Good, whereas U.S. Constitutional promote and even insist on such basic goodness, while forestalling defending and guarding against that other evil or sinister or duplicitous wrongdoing and keeping the wrongdoers from harming ourselves or others, even if others lack the capacity or potential to keep wrongdoers from themselves at the cost to the wrongdoers, malefactors, or tort-feasors those that might attempt to push or coerce others into indecorous thinking or behavior to sway them from Good; especially hard it to condemn and otherwise forestall or even prosecute conspiracies and agents of conspiracies of such, no matter the factors by which those have been made co-conspirators. Such is foundational lawfulness, civilization.

It's almost become a formative decision as to sides, almost re-instilled in original context by the Manganese Madness which enrages so many and the drive that the multitude of victims have and will have on violence of the masses, the problem here is that it's on our shores, being an attack by an enemy nation. That drive of that sinister nation that as war criminals think only do wrong to others and not ourselves, once again by right, even by Catechism Laws, the most benign codex of laws known, we are allowed to defend our nations, peoples, families, our ethics, beliefs, pursuits and even creeds against such as sinister kingdom of Britain by war, law and order, their attacks are as any war crime, the length of its untreated affects simply adds long suffering and mental anguish to individual or nations.

Thus, this is usually referenced in every case involving Civil Rights, Civil Law, Constitutional Law, Jurisdictional Law, Supremacy of Law and decisions involving the prevalence of laws, in this case it's the actual case and becomes perhaps magnified or perhaps seen in context be some for the first time, it's been this context even before my 27th great ascendant High Justice William Marshal “The Marshal” who was raised from a pauper knight, Great Great Great Grandfather of “The Bruce”. “The Marshal” who is the first Baron named in the Magna Carta in 1215 or the upholding of Civil Law as by my 40th great ascendant Karolus Magnus in the 700's and 800's. These laws have been built and upheld by their virtues some many centuries, even it noted as an effort, even enterprise, to do so at times.

I have the happy benefit of personal inalienable reminders of history in both American and World history and the law keepers of history in my family heritage, though I imagine not all look on such law with rejoicing, nor familial rejoicing, but does give me my perspectives. I'd feel remiss writing a law memorandum so exact in redoubled reference without quoting such without noting such notables as such presses me forward duties redoubled and adherence to such some great serenity.

I am loath to imagine those Nobles burdened with historic reminders whose linages haven't such aristocratic bearings towards ethics as mine have and I imagine those others are chagrined to imagine mine. The wars fought are familial disagreements split amongst us, those of us that embraced the peoples of the world and ethical standards and keep their ways, even if not our way and those familial peoples who would separate themselves from such and separate even those close to themselves, choosing to be isolated, secluded mimicking or liking rather than understanding and keeping ways not their own in some great paranoia, allowing their seclusion as some relic to a past of a people who divided majeure expanded to learn of all knowledge including that of moralities, ethics, religions, creeds, understanding and law.

Especially divided by such diametric terrorist actions of no purpose which we oppose, such as we've always opposed.

Indeed, those same documents are but records of the internal and external wars that England alienated us and nearly all others by are those same arguments where my ascendants and multitudes of people travelled to the colonies to liberate such from British Tyranny and took after part in the American Revolution in several lines, I only wish that every U.S. citizen took to heart the necessity of the formation of the United States and what pressure and people formed this nation. This should be as personal to us all, those ever warning to guard against those that alienate ethics, morals and greater understanding will always be unbalanced in mind and character. These Truths we hold as self-evident. Anywhere a Truth isn't self-evident, we must question, educate and in such circumstances, prosecute. Thus, I sue in the U.S. Courts by 28 U.S.C §1331 which has been given jurisdiction over all matters of disputes of Civil Liabilities as invoking my Civil prerogatives as an individual and Citizen of the United States and my claim has standing.



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Certificate of Service

I hereby certify that on or by the 27st of September 2017, a true and exact copy of the Above Documents in Civil Action No: 3:17-CV-285 has been sent by First Class Mail to 3 (Three) parties indicated.

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